

FOSTER,
SWIFT,
COLLINS &
SMITH, P.C.
Attorneys at Law



333 S Washington Square
Lansing, MI 48226-7191
PH: 517.371.8100
FX: 517.371.8200

ERIC E. DOSTER
Direct Phone 517.371.8241
Direct Fax 517.367.7341
Email edoster@fosterswift.com

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2009 FEB -4 P 1:07

SENSITIVE

By Certified Mail - Return Receipt Requested

January 22, 2009

Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Sir/Madam:

Re: Allegan County Democratic Committee, (Committee ID: _____)
and Benjamin Clark, Treasurer
MUR 6172

Enclosed for filing please find the original and three (3) copies of the Complaint in the above-referenced matter.

If you have any questions, please contact me.

Sincerely,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

Eric Doster

ED:js

Enclosures

613313_1.DOC

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT
2009 FEB -6 P 1:05

29044252565



MICHIGAN REPUBLICANS

SECCHIA-WEISER REPUBLICAN CENTER
520 SEYMOUR AVENUE • LANSING, MICHIGAN 48933
1-877-GOP-2006 (467-2006) • www.migop.org

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

2009 FEB -4 P 1:07

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of:

Allegan County Democratic Committee
(Committee ID: _____)
and Benjamin Clark, Treasurer

MUR 6172

Cooney for Congress Committee
(Committee ID: C00452011)
and Robert Snyder, Treasurer

COMPLAINT

NOW COMES Jeff Timmer of 520 Seymour Avenue, Lansing, Michigan 48933, and hereby files this Complaint pursuant to 2 U.S.C. 437g(a)(1) and 11 C.F.R. § 111.4 against the Allegan County Democratic Committee, Benjamin Clark, Treasurer (hereinafter referred to as the "Committee"), Cooney for Congress Committee, Robert Snyder, Treasurer (hereinafter referred to as "Cooney"), and states the following:

1. The Committee is responsible for the day-to-day operation of the Democratic Party for the County of Allegan, State of Michigan and is a local party organization pursuant to 11 C.F.R. § 100.14(b).
2. Cooney is the principal campaign committee for Don Cooney, who was a candidate for the United States House of Representatives for the 6th District of the State of Michigan.
3. According to 11 C.F.R. § 100.5(c), a local party organization becomes a political committee when, during a calendar year, it "spends more than \$1,000 in contributions and other expenditures." Page 1 of Campaign Guide for Political Party Committees (August 2007) published by the Federal Election Commission.
4. The Committee is registered as a county political party committee pursuant to the Michigan Campaign Finance Act. As a county political party committee, the Committee files periodic campaign finance reports with the Michigan Department of State. See Exhibit 1 attached hereto for the Committee's address and telephone number, and the Committee Treasurer's address and telephone number.
5. Each campaign finance report filed by the Committee contains the following verification:

Paid for by Michigan Republican Party with regulated funds.
Not authorized by any candidate or candidate's committee.
520 Seymour Avenue, Lansing, MI 48933 • www.migop.org

29044252566

"I certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my knowledge and belief the contents are true, accurate and complete."

6. As indicated by the Committee's own verified campaign finance statements filed with the Michigan Department of State, the Committee made the following direct contributions in connection with federal elections during calendar year 2008:

Exhibit No.	Date	Candidate	Amount
2	October 1, 2008	Cooney for Congress	\$1,000.00
3	October 20, 2008	Cooney for Congress	\$1,000.00
		TOTAL	\$2,000.00

7. Accordingly, during calendar year 2008, the Committee spent more than \$1,000 in contributions and other expenditures in connection with federal elections.

8. As indicated on page 1 of the Campaign Guide for Political Party Committees (August 2007), published by the Federal Election Commission, the Committee had ten (10) days (or by October 30, 2008) to file with the Federal Election Commission FEC Form 1 and register as a political committee. See 11 C.F.R. § 100.5(c) and 11 C.F.R. § 102.1(d).

9. Upon information and belief, to date, the Committee has failed to register with the Federal Election Commission as a political committee.

10. According to the 2008 Post-General Report filed by Cooney, Cooney failed to report the \$1,000 contribution received from the Committee on or about October 20, 2008, in violation of Cooney's responsibility to file accurate reports pursuant to, among other provisions, 11 C.F.R. § 104.14(d). See Exhibit 4 attached hereto.

REQUEST FOR RELIEF

Based on the foregoing, the undersigned respectfully requests that the Federal Election Commission investigate this violation and determine that the Committee and Cooney have violated the Federal Election Campaign Act and the regulations of the Federal Election Commission, as referenced above.

Further, the undersigned respectfully requests that the Federal Election Commission conduct a thorough review of the Committee's records, and the records of Cooney for Congress, in order to determine whether the contributions made to Cooney for Congress were derived from permissible sources pursuant to the Federal Election Campaign Act.

Further, the undersigned respectfully requests that the Federal Election Commission conduct a thorough review of the Committee's records and the records of Cooney for Congress, in order to discover further violations of the Federal Election Campaign Act and the regulations of the Federal Election Commission.

Further, the undersigned respectfully requests the Federal Election Commission to assess all appropriate penalties for said violation(s) in accordance with 2 U.S.C. 437g(a)(5)(A), or any other enforcement provisions of the Federal Election Campaign Act.

The above statements are true and accurate to the best of my knowledge, information and belief.

Respectfully submitted,

Dated: January 21, 2009
December, 2008

Jeff Timmer
Jeff Timmer

Subscribed and sworn before me this 21st day of January, 2009.
December, 2008.

Michelle Lynn McCoston
Michelle Lynn McCoston, Notary Public

Ingham County, Michigan

Acting in Ingham County, Michigan

My commission expires: 3/7/2012

594757_1.DOC



Committee Statement of Organization

The Documents Sent & Received Listing for this committee is at the bottom of this screen.
[Jump to the documents on file](#)

Committee ID#:	001176
Type of Filing:	Original
Full Name Of Committee:	ALLEGAN COUNTY DEMOCRATIC COMMITTEE
Committee Type:	County Pol. Party
Date Committee Was Formed:	
Committee Phone Number:	(269) 673-5585
Committee Mail Address:	327 HUBBARD ST ALLEGAN, MI 49010
Committee Street Address:	327 HUBBARD ST ALLEGAN, MI 49010
Treasurer Name:	BENJAMIN F CLARK
Mailing Address:	1096 34TH ST ALLEGAN, MI 49010
Phone:	(269) 673-6068
Designated Recordkeeper Name:	MELODIE S DOBBINS
Address:	3961 112TH AVE ALLEGAN, MI 49010
Phone:	(269) 673-8027
Reporting Waiver	Lost waiver on 10/26/2004
Names and Addresses of depositories or intended depositories of committee funds	
Official Depository	NATIONAL CITY BANK 855 MARSHALL ST ALLEGAN, MI 49010
Secondary Depository	

Documents On File:

Click on a Document to access data and images for this committee. N/A = Not applicable to this Document Type.

Statement Year	Document Type	Statement Covers	Statement Due	Date Sent/Rcvd	Doc Seq#
2008	POST-GENERAL CS(e)	10/20/2008 - 11/24/2008	Not Available	12/03/2008	309454
2008	PRE-GENERAL CS(e)	08/26/2008 - 10/19/2008	Not Available	10/24/2008	306923
2008	POST-PRIMARY CS(e)	07/21/2008 - 08/25/2008	Not Available	09/04/2008	304267



MICHIGAN DEPARTMENT OF STATE
Bureau of Elections

306923

FOR OFFICIAL USE ONLY

Report must be legible, typed or printed in ink and signed by the treasurer or designated record keeper.

3. This Statement covers From: 08/26/2008 To 10/19/2008
Mo Day Year Mo Day Year

1. Committee I.D. Number
001176-7

4. Committee's Mailing Address
327 Hubbard Street
Allegan MI 49010

2. Committee Name
Allegan County Democratic Party

Area Code and Phone (268) 673-5585

If the address in this box is different from the committee mailing address on the Statement of Organization, mail may be sent to this address by the filing official

5. Treasurer's Name and Address (Residential or Business)
Ben Clark
1088 34th St
Allegan MI 49010

Area Code and Phone (268) 673-6068

Driver License # (Optional)

6. Designated Record Keeper's Name and Mailing Address (If the committee has a Designated Record Keeper)
Catherine Brockington
988 Singapore Dr
Saugatuck MI 49453

Area Code and Phone

Driver License # (Optional)

7. TYPE OF STATEMENT:

7a. ☒ PRE-ELECTION

OR

7b. ☐ POST-ELECTION

Pre-Election or Post-Election Statement relates to:

☐ PRIMARY

☒ GENERAL

☐ SCHOOL

☐ SPECIAL

☐ CONVENTION

☐ CAUCUS

Date of Election:

11/04/2008
Month Day Year

7c. ☐ ANNUAL STATEMENT

(_____ Coverage Year)

7d. ☐ AMENDMENT TO CAMPAIGN STATEMENT

(Complete Item 7a, 7b, 7c or 7e to indicate which Statement is being amended)

7e. ☐ DISSOLUTION OF COMMITTEE
Effective Date of Dissolution

Month Day Year

By checking this item, I certify that the committee has no assets or outstanding debts, including late filing fees.

Note: The disposition of residual funds must be reported on Schedule SB.

A committee that does not have a Reporting Waiver must file all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, loans, expenditures and outstanding debts count against the \$1,000 Reporting Waiver threshold. If any of the information listed in Items 4, 5, or 6 has changed since the information was shown on the committee's Statement of Organization, an amendment to the Statement of Organization should accompany the Campaign Statement. If a request for a Reporting Waiver is not received on or before the filing deadline of a required campaign statement, that campaign statement can not be waived.

10. Verification: I certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my knowledge and belief the contents are true, accurate and complete.

Current Treasurer
or Designated Record Keeper Ben Clark

Type or Print Name

Signature

Date 10/24/2008
Month Day Year

29044252570



MICHIGAN DEPARTMENT OF STATE
Bureau of Elections

309454

FOR OFFICIAL USE ONLY

Report must be legible, typed or printed in ink and signed by the treasurer or designated record keeper.

3. This Statement covers From: 10/20/2008 To 11/24/2008
Mo Day Year Mo Day Year

1. Committee I.D. Number
001176-7

4. Committee's Mailing Address
327 Hubbard Street
Allegan MI 49010

2. Committee Name
Allegan County Democratic Party

Area Code and Phone (268) 673-5555

If the address in this box is different from the committee mailing address on the Statement of Organization, mail may be sent to this address by the filing official

5. Treasurer's Name and Address (Residential or Business)
Ben Clark
1098 34th St
Allegan MI 49010

Area Code and Phone (268) 673-6068

Driver License # (Optional)

6. Designated Record Keeper's Name and Mailing Address (If the committee has a Designated Record Keeper)
Ben Clark
1098 34th St

Allegan MI 49010

Area Code and Phone (268) 673-6068

Driver License # (Optional)

7. TYPE OF STATEMENT:

7a. ☐ PRE-ELECTION
OR

7b. ☒ POST-ELECTION

Pre-Election or Post-Election Statement relates to:

☐ PRIMARY ☒ GENERAL
☐ SCHOOL ☐ SPECIAL
☐ CONVENTION ☐ CAUCUS

Date of Election:

11/04/2008
Month Day Year

7c. ☐ ANNUAL STATEMENT
(_____ Coverage Year)

7d. ☐ AMENDMENT TO CAMPAIGN
STATEMENT

(Complete item 7a, 7b, 7c or 7e to indicate
which Statement is being amended)

7e. ☐ DISSOLUTION OF COMMITTEE
Effective Date of Dissolution

Month Day Year

By checking this item, I certify that the
committee has no assets or outstanding
debts, including late filing fees.

Note: The disposition of residual funds must
be reported on Schedule SB.

A committee that does not have a Reporting Waiver must file all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, loans, expenditures and outstanding debts count against the \$1,000 Reporting Waiver threshold. If any of the information listed in items 4, 5, or 6 has changed since the information was shown on the committee's Statement of Organization, an amendment to the Statement of Organization should accompany this Campaign Statement. If a request for a Reporting Waiver is not received on or before the filing deadline of a required campaign statement, that campaign statement can not be waived.

10. Verification: I certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my knowledge and belief the contents are true, accurate and complete.

Current Treasurer
or Designated Record Keeper Ben Clark

Type or Print Name

Signature

Date 12/03/2008
Month Day Year

29044252572



MICHIGAN DEPARTMENT OF STATE
Bureau of Elections

309454

1. Committee I.D. Number 001176-7

2. Committee Name Allegan County Democratic Party

3. Name and address of person or vendor to whom the expenditure was made	5. Candidate or Ballot Proposal Information	6. Date	7. Amount	8. Cumulative for Election or Election Cycle
Expenditure # 1 Name: Cooney For Congress Address: PO Box 2484 Kalamazoo MI 49001 4. Purpose: <u>Donation</u> Expenditure Code: <u>DI</u>	5. <u>Don Cooney</u> Name of Candidate <u>Congressional 6</u> Office Sought & District # or Jurisdiction <u>Kalamazoo</u> County Ballot Proposal <input type="checkbox"/> Check box if expenditure is payment of Debt or Obligation reported on previous statement	10/20/2008	1000.00	1000.00
Expenditure # 2 Name: Postmaster Address: 300 Trowbridge St Allegan MI 49010 4. Purpose: <u>Postage</u> Expenditure Code: <u>MA</u>	5. _____ Name of Candidate _____ Office Sought & District # or Jurisdiction _____ County Ballot Proposal <input type="checkbox"/> Check box if expenditure is payment of Debt or Obligation reported on previous statement	10/21/2008	994.21	
Expenditure # 3 Name: South Haven Tribune Address: 255 Center St. South Haven MI 49090 4. Purpose: <u>Ad</u> Expenditure Code: <u>PA</u>	5. _____ Name of Candidate _____ Office Sought & District # or Jurisdiction _____ County Ballot Proposal <input type="checkbox"/> Check box if expenditure is payment of Debt or Obligation reported on previous statement	10/21/2008	68.16	

Subtotal this page
Grand Total of all Schedules 3's
(Complete on last page of Schedule)

2062.37

PLEASE REFER TO INSTRUCTIONS FOR LIST OF EXPENDITURE CODES

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) USE FEC MAILING LABEL OR TYPE OR PRINT ^{Example: If typing, type over the lines}

Cooney for Congress Committee

ADDRESS (number and street)

P.O. Box 355



Check if different than previously reported. (ADC)

Lawton

MI

49085

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00452011

3. IS THIS REPORT



NEW (N)

OR



AMENDED (A)

MI

08

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:



April 15 Quarterly Report (Q1)



July 15 Quarterly Report (Q2)



October 15 Quarterly Report (Q3)



January 31 Year-End Report (YE)



Termination Report (TER)

(b) 12-Day PRE-Election Report for the:



Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

In the State of

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

11

04

2008

In the State of

MI

5. Covering Period

10

01

2008

through

11

24

2008

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

ROBERT EUGENE SNYDER

Signature of Treasurer

Electronically Filed by

ROBERT EUGENE SNYDER

Date

12

04

2008

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)

FESAN018

29044252574

SCHEDULE A (FEC Form 3) **ITEMIZED RECEIPTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: **PAGE 17 / 28**
 (check only one)
☐ 11a ☒ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
 Cooney for Congress Committee

<p>A.</p> <p>Full Name (Last, First, Middle Initial) AMERICA'S LEADERSHIP PAC</p> <p>Mailing Address 807 14TH ST. NW STE. 800</p> <p>City WASHINGTON State DC Zip Code 20005</p> <p>FEC ID number of contributing federal political committee. C C00375584</p> <p>Name of Employer _____ Occupation _____</p> <p>Receipt For: 2008 <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼</p> <p>Election Cycle-to-Date ▼ 1000.00</p>	<p>Date of Receipt 11 / 02 / 2008</p> <p>Transaction ID: SA11B.5820</p> <p>Amount of Each Receipt this Period 1000.00</p> <p><input type="checkbox"/> Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(j)(4)(1)-(1))</p>
<p>B.</p> <p>Full Name (Last, First, Middle Initial) CONYERS FOR CONGRESS</p> <p>Mailing Address 1031 N. Edgewood St.</p> <p>City Arlington State VA Zip Code 22201</p> <p>FEC ID number of contributing federal political committee. C C00408787</p> <p>Name of Employer _____ Occupation _____</p> <p>Receipt For: 2008 <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼</p> <p>Election Cycle-to-Date ▼ 2000.00</p>	<p>Date of Receipt 10 / 24 / 2008</p> <p>Transaction ID: SA11B.5805</p> <p>Amount of Each Receipt this Period 2000.00</p> <p><input type="checkbox"/> Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(j)(4)(1)-(1))</p>
<p>C.</p> <p>Full Name (Last, First, Middle Initial) KALAMAZOO COUNTY DEMOCRATIC PARTY</p> <p>Mailing Address 3254 WESTNEDGE</p> <p>City KALAMAZOO State MI Zip Code 49001</p> <p>FEC ID number of contributing federal political committee. C C00455881</p> <p>Name of Employer _____ Occupation _____</p> <p>Receipt For: 2008 <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼</p> <p>Election Cycle-to-Date ▼ 1700.00</p>	<p>Date of Receipt 10 / 25 / 2008</p> <p>Transaction ID: SA11B.5810</p> <p>Amount of Each Receipt this Period 1700.00</p> <p><input type="checkbox"/> Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(j)(4)(1)-(1))</p>
<p>SUBTOTAL of Receipts This Page (optional) 4700.00</p> <p>TOTAL This Period (last page this line number only)</p>	

SCHEDULE A (FEC Form 3) **ITEMIZED RECEIPTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 18 / 28

(check only one)

☐ 11a ☒ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Cooney for Congress Committee

A.

Full Name (Last, First, Middle Initial)

KALAMAZOO COUNTY DEMOCRATIC PARTY

Mailing Address 3254 WESTNEDGE

City State Zip Code
 KALAMAZOO MI 49001

FEC ID number of contributing
federal political committee.

C C00455891

Name of Employer

Occupation

Receipt For:

2008

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

2300.00

Date of Receipt

10 / 31 / 2008

Transaction ID: SA11B.5818

Amount of Each Receipt this Period

2300.00

☐ Limit Increased Due to Opponent's
Spending (2 U.S.C. 441a(f)/441a-1)

B.

Full Name (Last, First, Middle Initial)

KALAMAZOO COUNTY DEMOCRATIC PARTY

Mailing Address 3254 WESTNEDGE

City State Zip Code
 KALAMAZOO MI 49001

FEC ID number of contributing
federal political committee.

C C00455891

Name of Employer

Occupation

Receipt For:

2008

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

1000.00

Date of Receipt

10 / 20 / 2008

Transaction ID: SA11B.6054

Amount of Each Receipt this Period

1000.00

☐ Limit Increased Due to Opponent's
Spending (2 U.S.C. 441a(f)/441a-1)

C.

Full Name (Last, First, Middle Initial)

UAW - V - CAP (UAW VOLUNTARY COMMUNITY ACTION PROGRAM)

Mailing Address 8000 EAST JEFFERSON

City State Zip Code
 DETROIT MI 48214

FEC ID number of contributing
federal political committee.

C C00002840

Name of Employer

Occupation

Receipt For:

2008

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

2300.00

Date of Receipt

10 / 18 / 2008

Transaction ID: SA11B.5627

Amount of Each Receipt this Period

2300.00

☐ Limit Increased Due to Opponent's
Spending (2 U.S.C. 441a(f)/441a-1)

SUBTOTAL of Receipts This Page (optional)

5800.00

TOTAL This Period (last page this line number only)

10300.00